

Attorney's Docket No.: 07306-021001 1997-284-3

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#9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fallon et al.

Art Unit : 1633

Serial No. : 09/739,933

Petitions Attorney: Douglas Wood

Filed : December 18, 2000

Title : COMPOSITIONS AND METHODS FOR MANIPULATING GLIAL
PROGENITOR CELLS AND TREATING NEUROLOGICAL DEFICITS

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO DECISION REFUSING STATUS UNDER 37 CFR 1.47(a)

In response to the Decision Refusing Status under 37 CFR 1.47(a) (Paper No. 3) dated October 12, 2001, Applicant hereby submits item 1 as requested.

1. A Declaration of Michael Reed under 37 CFR 1.47(a) which shows that the non-signing inventor cannot be reached or refuses to sign the oath or declaration;
2. A Declaration of Gregory Einhorn under 37 CFR 1.47(a) which shows that the non-signing inventor after having been presented with the application papers (specification, claims and drawings) refuses to sign the oath or declaration;
2. A Petition under Rule 1.47(a);
3. Patent Agreement signed by Dr. Reid;
4. Copy of letter of June 8, 2001 to Dr. Reid enclosing copy of patent application and Combined Declaration and Power of Attorney sent via Certified Mail; and
5. Copy of letter of August 9, 2001 to Dr. Reid enclosing a copy of Combined Declaration and Power of Attorney via Certified Mail.

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Adjustment date: 01/24/2002 AKELLEY
01711/2002 GTEFFERA 00000050 09739933
01 FC:122 -130.00 OP
Repln. Ref: 01/24/2002 AKELLEY 0015111700
DAH:061050 Name/Number:09739933
FC: 704 \$130.00 CR

01/11/2002 GTEFFERA 00000050 09739933

01 FC:122

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

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October 23, 2001

Lucille M. Begalla

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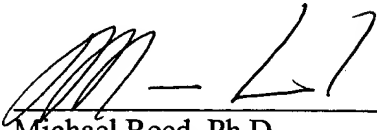
Applicant : Fallon et al.
Serial No. : 09/739,933
Filed : December 18, 2000
Page : 2

Attorney's Docket No.: 07306-021001 / 1997-284-3

Enclosed is a check in the amount of \$130.00 to cover the petition fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 10/23/01



Michael Reed, Ph.D.
Reg. No. 45,647

Fish & Richardson P.C.
4350 La Jolla Village Drive, Suite 500
San Diego, California 92122
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

10141980.doc

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Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

VIA CERTIFIED MAIL

June 8, 2001

James Steven Reid, Ph.D.
Post Office Box 7683
Berkeley, CA 94707-0683

Re: COMPOSITIONS AND METHODS FOR MANIPULATING GLIAL
PROGENITOR CELLS AND TREATING NEUROLOGICAL DEFICITS

Applicant: Fallon et al.
Application No.: 09/739,933
Filing Date: December 18, 2000
Country: United States
Your Ref.: UC 97-284
Our Ref.: 07306-021001



BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Dear Dr. Reid:

In accordance with instructions received from the University of California, we have filed a Continuation in Part (CIP) patent application for the above-identified invention. A copy of the specification is enclosed for your information and records.

In connection with this application it is necessary to file a new Combined Declaration and Power of Attorney. That document has been prepared and is enclosed for your consideration and signature.

If the residence address information is incorrect, please provide a street address (either residence or business), since the U.S. Patent and Trademark Office will not accept a post office box as an address on a declaration. Please make the appropriate corrections on the enclosed form and *initial and date* each correction. Alternatively, if you prefer, telephone, email or fax us the correct address and we will prepare a correct document and forward it to you.

If you have any questions concerning this matter, please do not hesitate to call me. My direct line is 858-678-4257, my email is gregory.einhorn@fr.com .

Very truly yours,

Gregory P. Einhorn

GPE/mzc
Enclosure

cc: James H. Fallon, University of California, Irvine
Patrick McCloskey, Ph.D., University of California

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Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

August 9, 2001

VIA CERTIFIED MAIL

James Steven Reid
2210 Palo Verde Road
Irvine, CA 92612

Re: COMPOSITIONS AND METHODS FOR MANIPULATING GLIAL
PROGENITOR CELLS AND TREATING NEUROLOGICAL DEFICITS


Applicant: Fallon et al.
Application No.: 09/739,933
Filing Date: December 18, 2000
Country: United States
UC Ref.: 1997-284-3
Our Ref.: 07306-021001

Dear Dr. Reid:

Enclosed please find an Assignment and Declaration and Power of Attorney to be signed by you. Once you have signed these documents, please return them to us for filing with the United States Patent Office.

Thank you for your attention to this matter.

Very truly yours,



Michael Reed, Ph.D.

MPR/lmb

Enclosures

cc w/o enc.: Ms. Linda Stevenson, University of California
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